

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

HEALTHGUARD OF LANCASTER, INC.
Plaintiff

vs.

MARK GARTENBERG; STEVEN
GARTENBERG; MARK TISCHLER;
GREENFIELD SPORTS MEDICINE &
REHAB, P.C.; PREMIER SPORTS
MEDICINE & REHAB CENTER, P.C.; and
MAIN LINE MEDICAL SERVICES, INC.
Defendants

NO. 02-CV-2611
(Michael M. Baylson, J.)

DEFENDANTS' SPECIAL INTERROGATORIES TO JURY

Defendants respectfully submit the attached special interrogatories to the jury, in
accordance with the Court's Scheduling Order and Trial Procedure dated September 13, 2002.
Defendants reserve the right to submit supplemental special interrogatories.

JOHN W. MORRIS, Attorney at Law

OBERMAYER REBMANN MAXWELL
& HIPPEL LLP

John W. Morris, Esq.
1525 Locust Street, 17th Floor
Philadelphia, PA 19102
215-772-2290

Attorney for Defendants Mark Tischler,
Greenfield Sports Medicine & Rehab, P.C.,
and Premier Sports Medicine & Rehab, P.C.

Lawrence J. Tabas, Esquire
Richard P. Limburg, Esquire
One Penn Center – 19th floor
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103
215-665-3000

Attorneys for Defendants Steve Gartenberg,
Mark Gartenberg, and Main Line Medical
Services, Inc.

Dated: October 30, 2003

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EASTERN DISTRICT OF PENNSYLVANIA

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DEFENDANTS' SPECIAL INTERROGATORIES TO THE JURY

Do you find from a preponderance of the evidence:

1. That the defendants were "associated" with an "enterprise" [i.e., Main Line Medical Services, Inc.] as alleged and described by the plaintiff (and as defined in the Court's instructions)?

Answer Yes or No	_____	Mark Tischler
	_____	Greenfield
	_____	Premier
	_____	Steve Gartenberg
	_____	Mark Gartenberg

2. That the defendants "knowingly" committed at least two of the "predicate acts" (as defined in the Court's instructions)?

Answer Yes or No	_____	Mark Tischler
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_____ Greenfield
_____ Premier
_____ Steve Gartenberg
_____ Mark Gartenberg

3. That the “predicate acts” formed a pattern by having the same or similar purposes, results, participants, victims or methods of commission, or were otherwise interrelated by distinguishing characteristics so that they were not isolated events?

Answer Yes or No _____

4. That the “predicate acts” amounted to, or threatened the likelihood of, continued criminal activity posing a threat of continuity projecting into the future?

Answer Yes or No _____

5. That the defendants “conducted” or “participated in the conduct of” the affairs of the “enterprise” through the commission of the two or more connected “predicate acts”?

Answer Yes or No _____ Mark Tischler
_____ Greenfield
_____ Premier
_____ Steve Gartenberg
_____ Mark Gartenberg

6. That the “enterprise” was engaged in, or its activities affected, interstate commerce?

Answer Yes or No _____

7. That the plaintiff was injured in its business or property as a proximate result of the defendants' commission of the "pattern" of racketeering activity?

Answer Yes or No _____

8. That the defendants entered into a conspiracy with one another to conduct or participate in the conduct of the affairs of an enterprise which is engaged in, or the activities of which affect, interstate commerce through a pattern of racketeering activity, while employed by or associated with such enterprise?

Answer Yes or No	_____	Mark Tischler
	_____	Greenfield
	_____	Premier
	_____	Steve Gartenberg
	_____	Mark Gartenberg

[*Note:* If you answered "No" to any of the preceding questions, you need not answer any question following the question to which you gave No as the answer.]

9. That one or more of the defendants identified in your answer to Interrogatory No. 8 committed an overt act in furtherance of a conspiracy to conduct the affairs of an "enterprise" through a "pattern" of racketeering activity?

Answer Yes or No _____

10. That the plaintiff was injured in its business or property as a proximate result of the defendants' commission of an overt act in furtherance of a conspiracy to conduct the affairs of Main Line Medical Services, Inc. through a "pattern" of racketeering activity?

Answer Yes or No _____

11. That the plaintiff should be awarded the following damages:

[Enumerate the recoverable elements of damages] \$ _____

SO SAY WE ALL.

Dated: _____

Foreperson